

REMARKS

Claims 1-22 are currently pending in this application.

The Applicants note that although the Office Action dated January 12, 2005, alleges that claims 1-22 are rejected, specific grounds for each claim rejection is not provided. Specifically, no basis is set out for the rejections of claims 6 and 22.

35 U.S.C. § 103:

Claims 1, 2, 4, 5, 7 and 12-15 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Pat. No. 6,153,252 by Hossainy et al. ("Hossainy") in view of U.S. Pat. No. 5,792,172 by Fischell et al ("Fischell"). The Applicants submit that none of the cited references disclose or suggest a multi-wing balloon wherein "the number of folds being selected to reduce the deformation of coating of the medical implant caused by the expansion of the multi-wing balloon during expansion of the coated medical implant," as recited in claims 1 and 15. Since the references do not teach or suggest all the claim limitations, the claimed invention is patentable over the cited references.

The office action concedes that Hossainy fails to disclose a balloon catheter having a multi-wing balloon, and seeks to fill this deficiency with Fischell, which discloses a multi-wing balloon directed towards improving the uniformity of stent cell expansion. *See* col. 1, lines 20-19. To promote uniform stent expansion, Fischell discloses choosing the number of folds in the balloon based on the number of cells in the stent. *See* col. 1, lines 31-58. The current invention is directed towards reducing damage to coatings of expandable medical implants. By selecting the number of folds based on the resiliency of the coating on the medical implant, the current invention differs from Fischell.

Thus, the invention as claimed is not inherent in the prior art, because the inherent characteristic must necessarily flow from the prior art. For the above stated reasons, the Applicants submit that claims 1 and 15, and all claims dependant thereon, are patentable over the cited references.

CONCLUSION

Should the Examiner have any questions concerning this application, the Examiner is invited to contact the undersigned at the number given below.

The Commissioner is authorized to charge any necessary fees, or to credit any overpayments, to deposit account No. 11-0600.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. Grasso', is written over a horizontal line.

Fred T. Grasso
Reg. No. 43,644

Dated: April 12, 2005

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, DC 20005-1257
Tel.: (202) 220-4200
Fax.: (202) 220-4201